APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,355	12/21/2001	Daniel Evans	14707HUUS01U (22171.305)	3059

			EXAMINER
27683	7590	06/19/2006	TECKLU, ISAAC TUKU

HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

ART UNIT	PAPER NUMBER
2192	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/028,355	EVANS, DANIEL
	Examiner	Art Unit	
	Isaac T. Tecklu	2192	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 December 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _12/21/2001_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the application filed on 12/21/2001.

2.   Claims 1- 30 have been examined.

Oath/Declaration

3.   The office acknowledges receipt of a properly signed oath/declaration filed on

12/21/2001.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Shen et al. (US

7,032,444 B2).

Per claim 1

Shen discloses:

        A method for tracking execution of a VoicexML document of a VoicexML application

by a VoicexML execution client comprising:

        responsive to receiving a request for tracking execution of a VoicexML document (e.g.

FIG. 2, element 66 and related text), monitoring at the VoicexML execution client a

downloading of VoicexML documents for the requested VoicexML document (in col. 6, lines

46-55 "... registration server 164 ...");

responsive to downloading the requested VoicexML document, trapping the requested

VoicexML document (in column 7, lines 45-52 "... server stores the data e.g. VoiceXML...");

and

responsive to receipt of a tracking command message, executing the trapped VoicexML

document in an execution tracking mode (in column 7, lines 53-60 "... executes the VoiceXML

application ...").

Per claim 2

Shen discloses:

The method of claim 1, wherein trapping the requested VoicexML document includes

pausing execution of the VoicexML document and initializing the VoicexML document for

execution tracking (in column 8, lines 1-5 "... terminates at the end of the block ...").

Per claim 3

Shen discloses:

The method of claim 2, wherein initializing the VoicexML document includes compiling

the VoicexML document into executable code (FIG. 2, element 68 and related text), the

executable code including markers for identifying at least one VoicexML element and a

respective location of the at least one VoicexML element within the VXML document (in

column 7, lines 14-21 "... examines whether the VoiceXML application resident ...").

Per claim 4

Shen discloses:

The method of claim 2, wherein initializing the VoiceXML document for execution tracking includes generating at least one marker, the at least one marker including marker information for identifying at least one VoicexML element contained within the VoicexML document and for identifying a respective location of the at least one VoicexML element within the VoicexML document (in column 7, lines 14-21 "... examines whether the VoiceXML application resident ...").

Per claim 5

Shen discloses:

The method of claim 4, wherein the marker information is configured to enable a highlighting of the corresponding VoicexML element within a listing of the VoicexML document on a remote display device (e.g. FIG.1, element 42 and related text).

Per claim 6

Shen discloses:

The method of claim 1, further comprising: responsive to trapping the requested VoicexML document, generating a notification message for indicating a capture of the requested VoicexML document for execution tracking (e.g. FIG. 1, element 48 and related text).

Per claim 7

Shen discloses:

> The method of claim 1, further comprising:
>
> responsive to a detection of an occurrence of a VoicexML element during execution tracking of the trapped VoicexML document (in column 7, lines 14-21 "... examines whether the VoiceXML application resident ..."), pausing execution of the trapped VoicexML document and awaiting receipt of a tracker command message (in column 8, lines 1-5 "... terminates at the end of the block ..."), wherein the tracker command message includes at least one of interrogate a variable of the VoicexML document, continue execution with tracking, and continue execution without tracking (in column 7, lines 53-60 "... executes the VoiceXML application ...").

Per claim 8

Shen discloses:

> The method of claim 1 further comprising:
>
> responsive to a detection of an occurrence of a VoicexML element during execution tracking (in column 7, lines 14-21 "... examines whether the VoiceXML application resident ..."), generating a marker information message for identifying the VoicexML element and its respective location within the VXML document (e.g. FIG. 1, element 48 and related text).

Per claim 9

Shen discloses:

> The method of claim 8, further comprising:

  sending the marker information message to a visual editor device, wherein responsive to

the marker information message, the visual editor device highlights the VoicexML element

within a display listing of the VoicexML document (e.g. FIG.1 and related text).

Per claim 10

Shen discloses:

  The method of claim 1, wherein downloading of VoicexML documents occurs Via a Web

Server (e.g. FIG. 1, element 40 and related text).

Per claim 11

Shen discloses:

  A VoicexML execution client comprising:

  a VoicexML executor having at least one input for receiving a tracking message, the

tracking message including at least a request for execution tracking of a VoicexML

document (e.g. FIG. 7, element 160 and 68 and related text); and

  a VoicexML compiler operatively coupled to said VoicexML executor, the VoicexML

compiler responsive to receipt of the tracking message by said VoicexML executor for

monitoring a downloading of the VoicexML document and in response to

downloading of the VoicexML document (e.g. FIG. 7, element 62 and related text), said

VoicexML compiler generating executable code configured for execution tracking, the

executable code including marker information, wherein responsive to the executable code, said

VoicexML executor executes the VoicexML document in an execution tracking mode as a

function of the marker information (e.g. FIG. 7, element 166 and related text).

Per claim 12

Shen discloses:

The VoicexML execution client of claim 11, wherein the marker information includes at

least one marker for identifying at least one VoicexML element and a respective location of the

at least one VoicexML element within the VoicexML document (in column 7, lines 14-21 "...

examines whether the VoiceXML application resident ...").

Per claim 13

Shen discloses:

The VoicexML execution client of claim 12, wherein said VoicexML executor further

generates at least one marker information message in response to a detection of the at least one

marker in the executable code during execution tracking (in column 6, lines 45-50 "... logging

mechanism that records debug, warning ..."), the at least one marker information message

containing marker information configured to identify a respective VoicexML element and its

respective location within the VoicexML document (in column 6, lines 43-50 "... detailed call

information ...").

Per claim 14

Shen discloses:

The VoicexML execution client of claim 13, further wherein the at least one marker

information message is configured to enable highlighting of the respective VoicexML

element in a display listing of the VoicexML document (in column 6, lines 45-50 "... logging

mechanism that records debug, warning ...").

Per claim 15

Shen discloses:

The VoicexML execution client of claim 11, wherein said VoicexML executor performs

execution tracking further as a function of an additional tracking message, wherein the additional

tracking message includes at least one of interrogate a variable of the VoicexML document,

continue execution with tracking, and continue execution without tracking (in column 6, lines

45-50 "... logging mechanism that records debug, warning ...").

Per claim 16

Shen discloses:

The VoicexML execution client of claim 11, wherein responsive to detecting the

downloading of the VoicexML document by said VoicexML compiler and prior to compilation

of the VoicexML document, said VoicexML executor further for pausing an execution of the

VoicexML document and initializing the VoicexML document for execution tracking (in column

8, lines 1-5 "... terminates at the end of the block ...").

Per claim 17

Shen discloses:

The VoicexML execution client of claim 16, further wherein initializing the VoicexML document for execution tracking includes generating the marker information (in column 6, lines 45-50 "… logging mechanism that records debug, warning …"), the marker information including at least one marker for identifying at least one VoicexML element contained within the VoicexML document and for identifying a respective location of the at least one VoicexML element within the VoicexML document (in column 7, lines 14-21 "… examines whether the VoiceXML application resident …").

Per claim 18

Shen discloses:

The VoicexML execution client of claim 17, further wherein said VoicexML executor configures the marker information to enable a highlighting of a respective at least one VoicexML element in a display listing of the VoicexML document on a remote display device (in column 6, lines 45-50 "… logging mechanism that records debug, warning …").

Per claim 19

Shen discloses:

The VoicexML execution client of claim 11, wherein the execution tracking mode includes an interactive execution of the VoicexML document responsive to a detection of an occurrence of a VoicexML element within the VoicexML document (in column 7, lines 14-21

"... examines whether the VoiceXML application resident ..."), further wherein said VoicexML

executor generates message information configured to enable a highlighting of the respective

VoicexML element within a listing of the VoicexML document on a remote display device (in

column 6, lines 45-50 "... logging mechanism that records debug, warning ...").

Per claim 20

Shen discloses:

A VoicexML execution client comprising:

a VoicexML executor having at least one input for receiving a tracking message, the

tracking message including at least a request for execution tracking of a VoicexML

document (e.g. FIG. 7, element 160 and 68 and related text); and

a VoicexML interpreter operatively coupled to said VoicexML executor, the VoicexML

interpreter, responsive to receipt by the VoicexML executor of the tracking message, for

monitoring a downloading of the VoicexML document (e.g. FIG. 7, element 62 and related text)

and in response to downloading of the VoicexML document, said VoicexML interpreter further

for generating an executable interpretation of the VoiceXML document, the executable

interpretation including marker information, wherein responsive to the executable interpretation,

said VoicexML executor executes the VoicexML document in an execution tracking mode as a

function of the marker information (e.g. FIG. 7, element 166 and related text).

Per claim 21

Shen discloses:

The VoicexML execution client of claim 20, wherein the marker information includes at

least one marker for identifying at least one VoicexML element contained within the

VoicexML document and for identifying a location of the at least one VoicexML element within

the VoicexML document (in column 7, lines 14-21 "... examines whether the VoiceXML

application resident ...").

Per claim 22

Shen discloses:

The VoicexML execution client of claim 21, wherein said VoicexML executor configures

the marker information to enable a highlighting of a respective at least one VoicexML element

within a listing of the VoicexML document on a remote display

device (in column 6, lines 45-50 "... logging mechanism that records debug, warning ...").

Per claim 23

Shen discloses:

A method for tracking execution of a VoicexML document of a VoicexML application

comprising:

transmitting a tracking command message to a VoicexML execution client, the tracking

command message including at least a request for tracking execution of the VoicexML document

(in column 8, lines 51-55 "... upon receipt of the wrapped message ...");

responsive to a notification message indicating receipt of the execution tracking request

by the VoicexML execution client, displaying a listing of at least a portion of the

VoicexML document upon at least one display as a function of the notification message (e.g.

FIG. 1, element 48 and related text);

transmitting at least one further tracking command message to the execution client, the at

least one further tracking command message including at least one of interrogate a parameter of

the VoicexML document, continue execution with tracking, and continue execution without

tracking, wherein the execution client executes the VoicexML document in an execution tracking

mode as a function at least one further

tracking command message (in column 6, lines 45-50 "... logging mechanism that records

debug, warning ..."); and

responsive to receipt of an tracking information message from the VoicexML execution

client, the tracking information message including at least marker information, highlighting at

least one portion of the VoicexML document text on the at least one display as a function of the

marker information (in column 7, lines 14-21 "... examines whether the VoiceXML application

resident ...").

Per claim 24

The method of claim 23, wherein the marker information includes at least one marker

indicating an occurrence of at least one VoicexML element within the VoicexML document and

a respective location of the at least one VoicexML element Within the VoicexML document (in

column 7, lines 14-21 "... examines whether the VoiceXML application resident ...").

Per claim 25

The method of claim 23, wherein the at least one further tracking command message

includes at least one of interrogate a parameter of the VoicexML document, continue execution

with tracking, and continue execution without tracking (in column 6, lines 45-50 "... logging

mechanism that records debug, warning ...").

Per claim 26

The method of claim 23, wherein execution tracking of the VoicexML document by the

VoicexML execution client includes pausing execution upon a detection of an occurrence of a

VoicexML element within the VoicexML document, and wherein marker information includes

information for enabling a highlighting of the respective VoicexML element within the

VoicexML document (in column 8, lines 1-5 "... terminates at the end of the block ...").

Per claim 27

This is the apparatus version of the claimed method discussed above (Claim 23), wherein all

claim limitations have been addressed and/or covered in cited areas as set forth above. Thus,

accordingly, these claims are also anticipated by Shen.

Per claim 28

This is the apparatus version of the claimed method discussed above (Claim 24), wherein all

claim limitations have been addressed and/or covered in cited areas as set forth above. Thus,

accordingly, these claims are also anticipated by Shen.

Per claim 29

This is the apparatus version of the claimed method discussed above (Claim 25), wherein all

claim limitations have been addressed and/or covered in cited areas as set forth above. Thus,

accordingly, these claims are also anticipated by Shen.

Per claim 30

This is the apparatus version of the claimed method discussed above (Claim 26), wherein all

claim limitations have been addressed and/or covered in cited areas as set forth above. Thus,

accordingly, these claims are also anticipated by Shen.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Isaac T. Tecklu whose telephone number is (571) 272-7957. The

examiner can normally be reached on M-TH 9:300A - 8:00P.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Isaac Tecklu
Art Unit 2192

TUAN DAM
SUPERVISORY PATENT EXAMINER